

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

PEDRO REYNOSO)
Petitioner-Plaintiff,)
v.) 16-cv-1721
CYNTHIA LINK, Superintendent)
DISTRICT ATTORNEY'S OFFICE)
Defendant-Respondent.)
)

**Motion Requesting Petitioner's Reply to Commonwealth's Supplemental
Answer to Be Deemed Timely Filed**

1. Pedro Reynoso's *Reply to the DAO's Supplemental Answer* ("Reply") was due: January 3, 2023.
2. Counsel filed Pedro Reynoso's *Reply* today: January 5, 2023.
3. Counsel is requesting that the Court deem Mr. Reynoso's *Reply* timely-filed based on the following facts.
4. Counsel specializes in appellate and post-conviction criminal defense and practices primarily in Pennsylvania and North Carolina. Over the last five weeks, counsel has filed the following pleadings, litigated the following hearings, missed the following days of work because of illness, took the following CLE courses, and battled his ex-wife in the Ontario (Canada) family courts.
 - a. On **November 24, 2022**, counsel filed a 28-page *New Brief* with the North Carolina Supreme Court in *State v. Darren Lancaster*, 240A22, a going armed to the terror of the public (direct appeal) case from Craven County, North Carolina.
 - b. From **November 25-28, 2022**, counsel was in Toronto, Canada exercising his parenting time with his two children.

c. On **November 29, 2022**, counsel filed a 42-page *Reply to the Commonwealth's Answer* with the Eastern District of Pennsylvania in *Bruce Reese v. Superintendent, SCI-Phoenix*, 21-cv-2585, a second-degree murder (federal habeas) case from Philadelphia County.

d. On **December 2, 2022**, counsel had a PCRA hearing before the Dauphin County Common Pleas Court in *Commonwealth v. Marvin Robinson*, CP-22-CR-0001420-2001, a first-degree murder (post-conviction) case from Dauphin County, Pennsylvania.

e. On **December 6, 2022**, counsel attended a 3-hour CLE – *Using ADR For Your Practice 2022* – presented by the Pennsylvania Bar Institute.

f. On **December 8, 2022**, counsel attended a 4-hour CLE – *2022 Criminal Law Update* – presented by the Pennsylvania Bar Institute.

g. On **December 8, 2022**, counsel filed the following pleadings in his family law case against his ex-wife in Ontario, Canada: (1) a 34-page affidavit in support of his challenge regarding the Applicant's child support request; and (2) 30-page Factum in support of his challenge regarding the Applicant's child support request. Counsel has been representing himself pro se – in the Ontario courts – challenging his ex-wife absurd child support requests.

h. From **December 9-12, 2022**, counsel was in Toronto, Canada exercising his parenting time with his two children.

i. On **December 12, 2022**, counsel filed a 24-page *Opening Brief* with the Fourth Circuit Court of Appeals in *U.S. v. Jennifer Manley*, 22-4377, a Medicaid fraud (direct appeal) case from the Middle District of North Carolina.

j. On **December 13, 2022**, counsel drafted and served a 32-page mitigation/plea offer memorandum to the Dauphin County District Attorney's Office regarding *Commonwealth v. Marvin Robinson*, CP-22-CR-0001420-2001, a first-degree murder (post-conviction) case from Dauphin County, Pennsylvania.

k. On **December 15, 2022**, counsel had a half-day hearing before the Ontario Court of Justice – Family Court Division – arguing the issue of his ex-wife's child support petition.

l. On **December 15, 2022**, counsel drove from Toronto to Pittsburgh after his half-day family court hearing.

m. On **December 16, 2022**, counsel traveled to Dauphin County for plea negotiations with the Dauphin County District Attorney's Office regarding *Commonwealth v. Marvin Robinson*, CP-22-CR-0001420-2001, a first-degree murder (post-conviction) case from Dauphin County, Pennsylvania.

n. From **December 16-20, 2022**, counsel had a severe case of the flu – which impacted his productivity and work schedule.

o. On **December 20, 2022**, counsel drove from Pittsburgh to Toronto because his children had their holiday chorus concert that night.

p. On **December 22, 2022**, counsel filed a 92-page *Amended 2254 Petition* with the Western District of Pennsylvania in in *Shawn Burton v. Superintendent, SCI Forest*, 22-cv-905, a first-degree murder (federal habeas) case from Allegheny County, Pennsylvania.

q. From **December 26, 2022** to **January 1, 2023**, counsel was in Pittsburgh with his two children celebrating the holidays and didn't work.

r. On **January 1, 2023**, counsel drove from Pittsburgh to Toronto to drop off his two children with their mother.

s. On **January 2, 2023**, counsel drove from Toronto to Pittsburgh.

5. WHEREFORE, based on these facts and circumstances, counsel respectfully requests the Court to deem Pedro's *Reply* timely filed.

Respectfully submitted this the 5th day of January, 2023.

/s/Craig M. Cooley
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